

Message Text

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PAGE 01 SANTIA 01671 102207Z
ACTION SS-25

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FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 8420

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FOR D, ARA & L ONLY

E.O. 11652: N/A
TAGS: OGEN SHUM PGOV CI
SUBJECT: LETELIER/MOFFITT CASE: NAMING OF CHILEAN LAWYER

1. EMBASSY DELIVERED NOTE MORNING OF MARCH 10 INFORMING
FOREIGN MINISTER CARVAJAL THAT THE USG HAS NAMED ALFREDO
ETCHEBERRY AS ITS LEGAL REPRESENTATIVE IN CHILE FOR MATTERS
RELATING TO THE LETELIER/MOFFITT INVESTIGATION, AND ASKING
THAT HE INFORM THE SUPREME COURT OF CHILE. TEXT FOLLOWS:

QUOTE:

NOTE NO. 20 SANTIAGO, MARCH 10, 1978

EXCELLENCY:

IN ACCORDANCE WITH THE PRACTICES GOVERNING THE HAND-
ING OF LETTERS ROGATORY BETWEEN CHILE AND THE UNITED STATES
OF AMERICA, I HAVE THE HONOR TO INFORM YOUR EXCELLENCY:

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PAGE 02 SANTIA 01671 102207Z

THAT WITH REGARD TO THE LETTERS ROGATORY ADDRESSED TO
THE CHILEAN COURTS BY THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA, IN RE VIOLATIONS OF TITLE 18,
UNITED STATES CODE, PAR. 1116, ND TITLE 22, DISTRICT OF
COLUMBIA CODE, PAR. 2401, AND IN ACCORDANCE WITH THE PRO-
VISIONS OF ARTICLES 76 OF THE CHILEAN CODE OF CIVIL
PROCEDURE AND 43 OF THE CODE OF CRIMINAL PROCEDURE, THE

GOVERNMENT OF THE UNITED STATES OF AMERICA APPOINTS AS JUDICIAL ATTORNEY AND COUNSEL IN THOSE PROCEEDINGS MR. ALFREDO ETCHEBERRY ORTHUSTEGUY, ATTORNEY AT LAW, REGISTERED AT ROLL NO. 2 OF THE CHILEAN BAR ASSOCIATION UNDER THE NUMBER 1747, WITH LICENSE NO. 924 BEFORE THE SUPREME COURT, DOMICILED IN SANTIAGO, 162 BANDERA, 4TH FLOOR, OFFICE 41.

MR. ETCHEBERRY WILL ACT AS ATTORNEY AND COUNSEL ON BEHALF OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND OF ALL THE PUBLIC OFFICERS AND AGENCIES THAT DEPEND THEREOF, AND PARTICULARLY, IN THE NAME OF THE ASSISTANT UNITED STATES ATTORNEY MR. EUGENE M. PROPPER, FEDERAL PROSECUTOR ASSIGNED THIS CASE, IN ALL THE PROCEEDINGS, ACTIONS, PETITIONS AND APPEALS RELATED WITH THE CARRYING OUT OF THE REQUESTS INCLUDE IN THE LETTERS ROGATORY MENTIONED ABOVE, BEFORE THE CHILEAN SUPREME COURT AS WELL AS BEFORE ANY OTHER LOWER COURT OR JUDICIAL AUTHORITY IN CHILE. IN THE PERFORMANCE OF HIS COMMISSION, MR. ETCHEBERRY WILL BE VESTED WITH ALL THE RIGHTS AND PRIVILEGES GRANTED TO COUNSEL AND JUDICIAL ATTORNEYS IN THE CHILEAN AND US LAW, AS WELL AS IN THE INTERNATIONAL TREATIES AND PRACTICES IN FORCE.

I REQUEST THAT YOUR EXCELLENCY SEND THIS NOTE TO THE SUPREME COURT SO THAT HIGH COURT MAY MAKE RECORD OF LIMITED OFFICIAL USE

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PAGE 03 SANTIA 01671 102207Z

THIS APPOINTMENT AND IN ORDER THAT IT MAY INSTRUCT THE COURTS UNDER ITS JURISDICTION TO GRANT MR. ETCHEBERRY THE RIGHTS AND PRIVILEGES THEREUNTO PERTAINING.

ACCEPT, EXCELLENCY, THE RENEWED ASSURANCES OF MY HIGHEST CONSIDERATION.

/S/ GEORGE W. LANDAU

HIS EXCELLENCY

PATRICIO CARVAJAL PRADO

MINISTER OF FOREIGN AFFAIRS

SANTIAGO

END QUOTE

2. EMBASSY WILL ISSUE FOLLOWING PRESS RELEASE ON THIS SUBJECT LATER TODAY: THE GOVERNMENT OF THE UNITED STATES HAS APPOINTED ALFREDO ETCHEBERRY ORTHUSTEGUY AS JUDICIAL

ATTORNEY AND COUNSEL IN ALL PROCEEDINGS AND LEGAL MATTERS
ARISING FROM THE LETTERS ROGATORY ADDRESSED TO THE CHILEAN
COURTS BY THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA.
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